

# Notice of Allowability

Application No.

09/927,442

Examiner

Marc A Patterson

Applicant(s)

KANAI ET AL.

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/16/04.
2. ☒ The allowed claim(s) is/are 4,9,11,13,15,17, 23,27,29,31,33 and 35.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☒ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Patrick Gallagher on October 26, 2004.

The application has been amended as follows: Cancel Claims 5 -- 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36.

Delete the Abstract, which currently reads as follows:

-- A resin composition for heat -- shrinkable polypropylene shrink label, comprises: from 50 to 95% by weight of a crystalline propylene- $\alpha$ -olefin random copolymer mainly comprising propylene, the copolymer satisfying the following requirements (1) to (3); and from 5 to 50% by weight of an alicyclic hydrocarbon resin having a softening temperature of not lower than 110 degrees Celsius:

Requirement (1): The copolymer exhibits a melt flow rate of from 0.5 to 10 g/10 min at a temperature of 230 degrees Celsius and a load of 2.16 kg;

Requirement (2): The copolymer exhibits a main fusion peak temperature ( $T_p$ ) of from 100 degrees Celsius to 140 degrees Celsius as determined by means of a differential scanning calorimeter (DSC); and

Requirement (3): The copolymer exhibits  $T_{50}$  of not higher than 125 degrees Celsius with the proviso that  $T_{50}$  is a temperature at which an amount of heat of fusion calculated from a lower temperature side is 50% of  $H_m$  supposing that  $H_m$  is the total amount of heat of fusion of the copolymer as determined by DSC. –

And substitute the Abstract as follows:

-- A resin composition for heat – shrinkable polypropylene shrink label, comprises: from 50 to 95% by weight of a crystalline propylene- $\alpha$ -olefin random copolymer mainly comprising propylene and from 5 to 50% by weight of an alicyclic hydrocarbon resin having a softening temperature of not lower than 110 degrees Celsius. --

2. The following is an examiner's statement of reasons for allowance: The prior art of record discloses a film for polypropylene shrink label comprising a crystalline propylene- $\alpha$ -olefin random copolymer mainly comprising propylene and a by weight of an alicyclic hydrocarbon resin, but fails to disclose a film for polypropylene shrink label comprising from 50 to 95% by weight of a crystalline propylene- $\alpha$ -olefin random copolymer mainly comprising propylene and from 5 to 50% by weight of an alicyclic hydrocarbon resin, the resin having a softening temperature of 110 degrees Celsius to 140 degrees Celsius, and a copolymer exhibiting a melt flow rate of from 0.5 to 10 g/10 min at a temperature of 230 degrees Celsius and a load of 2.16 kg, and a  $T_{50}$  of not higher than 125 degrees Celsius, and a film that shrinks in the main shrinkage direction at a shrinkage rate following the relation ships:

$$S_{80} > 251d - 215$$

$$S_{90} > 531d - 462$$

$$S_{100} > 627d - 541$$

wherein  $S_{80}$ ,  $S_{90}$  and  $S_{100}$  are shrinkage rates in the main shrinkage direction at 80 degrees Celsius, 90 degrees Celsius and 100 degrees Celsius, respectively, and  $d$  is the specific gravity of the film.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Patterson, whose telephone number is (571) 272 – 1497. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached at (571) 272 – 1498. FAX communications should be sent to (703) 872-9310. FAXs received after 4 P.M. will not be processed until the following business day.

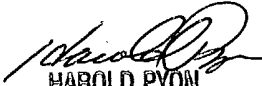
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217 – 9197 (toll – free).

Marc A. Patterson, PhD.

*Marc Patterson*  
Art Unit 1772

  
HAROLD PYON  
SUPERVISORY PATENT EXAMINER  
1772

10/28/04